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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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2001-1426

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11/09/2006

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EXAMINER

O HERN, BRENT T

ART UNIT

PAPER NUMBER

1772

DATE MAILED: 11/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

744

<b>Office Action Summary</b>	<b>Application No.</b> 10/563,553	<b>Applicant(s)</b> RAJABALI ET AL.	
	<b>Examiner</b> Brent T. O'Hern	<b>Art Unit</b> 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5 January 2006</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### Examiner's Note

1. The prior art reference (WO 98/53989) submitted by Applicant is missing the even pages (e.g., 2, 4, 6, etc.). Correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase “**alternating metal layers (10-14) and at least one plastic bonding layer (14-17), which metal layers (10-13)**” in claim 1, lines 1-3 is vague and indefinite because it is unclear how a layer can be both a metal layer and a plastic layer, depicted as layer 14. Furthermore, Applicant may want to consider deleting the numbers within parenthesis since they can be confusing.

Claim 1 recites the limitation “**which metal layers**” in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

The phrase “**which metal layers (10-13)**” in claim 1, lines 2-3 is vague and indefinite since it is unclear whether Applicant means to limit the metal layers by using a term such as “wherein”, is attempting to ask a question or something else.

The phrase “**immediately alongside two mutually overlapping edges**” in claim 2, line 2 is vague and indefinite since it is unclear whether Applicant is attempting

Art Unit: 1772

to describe an urgent time action within a process step, a location of a layer relative to another layer or something else. Furthermore, it is unclear whether Applicant is referring to any edge or an end.

The phrase “**either side of two mutually overlapping edges**” in claims 3 and 12, line 2 of both claims is vague and indefinite since it is unclear whether the fill can be one side of an edge, on two sides of an edge or something else.

The phrase “**extension of one another**” in claim 4, line 5, claim 5, line 2, claim 13, line 2 and claim 14, line 2 is vague and indefinite since it is unclear how the layers can be an extension of one another when they are distinct separate layers.

Furthermore, the phrase “**essentially** an extension of one another” in claim 4, line 5 is vague and indefinite since it is unclear what is the difference between essentially and not essentially.

Clarification and/or correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

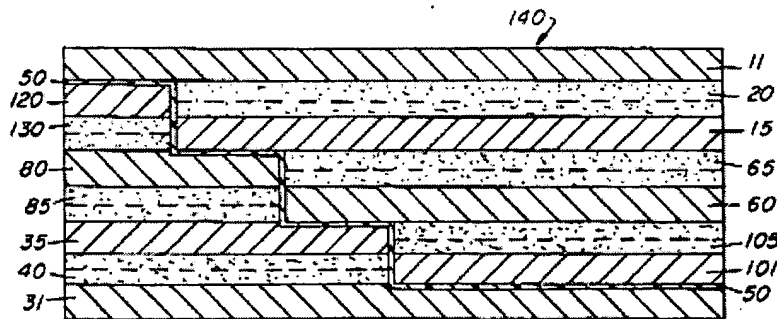
3. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Lambing et al. (US 5,160,771).

Regarding claims 1, 5, 13 and 14 Lambing ('771) teaches a laminate of alternating metal layers (*col. 4, ll. 10-36 and FIG-9, #11, #15, #60, #101, #120, #80, #35*

Art Unit: 1772

and #31) and at least one plastic bonding layer (col. 4, ll. 10-36 and FIG-9, #20, #65, #105, #130, #85, #40 and #50), wherein the metal layers (col. 4, ll. 10-36 and FIG-9, #11, #15, #60, #101, #120, #80, #35 and #31) each comprise two metal layer sections that have mutually overlapping edges (See FIG-9, wherein an end edge of #15 overlaps an edge of #80. Furthermore, the Examiner interprets an edge to include any edge of a layer including on the end, top, bottom or sides.) bonded to one another (col. 3, l. 36 and FIG-9, #50), characterised in that a fill is provided which has a thickness at least such that at the location of the fill the laminate has a thickness equal to the thickness at the location of the overlapping edges (See FIG-9, fill #11, #120 and #35 and equal thickness laminate.).

FIG. 9



Regarding claim 2, Lambing ('771) teaches a laminate wherein the fill is alongside two mutually overlapping edges (See FIG-9 wherein #11, #120 and #35 are along #15 and #80.).

Regarding claims 3 and 12, Lambing ('771) teaches a laminate wherein there is a fill on a side of two mutually overlapping edges (See FIG-9 wherein #11, #120 and #35 are along #15 and #80.).

Art Unit: 1772

Regarding claim 4, Lambing ('771) teaches a laminate wherein the edge of one of the mutually overlapping metal layer sections is formed by two or more extending metal layer sections (*See FIG-9 wherein #80 and #15 form a single layer when viewed from left to right*).

Regarding claim 6, Lambing ('771) teaches a laminate wherein the laminate has a region in which there is at least one fill as well as a region without fill (*See FIG-9 wherein the laminate has regions where there are fills and not fills, where there is something other than a fill.*).

Regarding claim 7, Lambing ('771) teaches a laminate wherein the fill comprises at least one metal layer as well at least one plastic bonding layer (*See col. 3, l. 36 and FIG-9, fills #11, #120 and #35 with adhesive #50.*).

Regarding claim 8, Lambing ('771) teaches a laminate wherein the fill comprises at least a metal layer with a thickness greater than that of the other metal layers (*See FIG-9 wherein the left side of #80 is thicker, where adhesive is absent than the right side of #80 where #50 is present and col. 5, ll. 34-36 wherein the thickness varies.*).

Regarding claim 9, Lambing ('771) teaches a laminate wherein a plastic bonding layer comprises a layer of adhesive (*col. 3, l. 36 and FIG-9, #50*).

Regarding claim 10, Lambing ('771) teaches a laminate wherein a plastic bonding layer comprises a fibre layer that has been impregnated with an adhesive (*col. 5, ll. 34-37, col. 3, l. 36 and FIG-3, #50*).

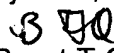
Regarding claim 11, Lambing ('771) teaches a laminate wherein the fill is interlaminar (*See FIG-9 wherein #120 and #35 are interlaminar.*).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent T. O'Hern whose telephone number is (571) 272-0496. The examiner can normally be reached on M-F, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on (571) 272-2172. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Brent T O'Hern  
Examiner  
Art Unit 1772  
October 31, 2006

  
NASSER AHMAD 11/2/06  
PRIMARY EXAMINER